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030:LR2:Job
29 October 1953

MEMORANDUM FOR: Assistant Director for Intelligence Coordination

SUBJECT: "Service of Common Concern"

1. You have asked us to criticize freely your proposed text for a speech on "Service of Common Concern." I appreciate the invitation, but I have some serious reservations on what I consider to be rather fundamental concepts.

2. In paragraph 4 on page 3 you construe the language of the Act to imply that the first three statutory responsibilities must have been considered services of common concern. I think you are running counter to your own parenthetical phrase in paragraph 7 on page 6 and are finding subtleties in the phrase, "Service of Common Concern," which, in our opinion, do not exist and which certainly were not intended by the Congress. Our understanding during the passage of the National Security Act and ever since then has been that the Congress intended to make a distinction between the specific responsibilities for which the Director of Central Intelligence and the Agency must be responsible and those other functions which the Agency might better perform in the interests of efficiency and economy.

3. The whole reference to the Pearl Harbor episode led to insistence upon the basic responsibilities to advise and recommend on intelligence activities and to correlate, evaluate, and disseminate national intelligence. The Congress was well aware from its hearings

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that there were many other aspects to intelligence and that there was a definite distinction between the aims of departmental intelligence and national intelligence. It, therefore, assured the protection and continuation of departmental intelligence by creating the new function of producing intelligence for the President and his top advisers. Therefore, the Director has a specific duty to advise and recommend to the National Security Council and to produce national estimates, regardless of whether the other intelligence agencies agree, oppose, or stand clear.

4. Objectively, it would be impracticable for the Central Intelligence Agency to proceed on its own in the performance of these duties. It needs the full assistance and support of the other intelligence agencies. The method by which this cooperation and coordination is achieved does not change the concept or the responsibility. The function still serves the purposes of the National Security Council not of the other intelligence agencies. The Congress, however, realized that there were other functions which were required to meet the intelligence performance and that where these were of common concern and could be more efficiently performed separately, it might be well for them to be performed by the Central Intelligence Agency. It left this determination, however, to the National Security Council. As you point out, this determination has been made in connection with [redacted] and Contact. In other cases, however, for practical reasons a service of common concern has been left to be administered by one of the other intelligence components. I believe

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Arlington Hall is a good example. In any case, these services are performed for the benefit of the existing intelligence agencies, whereas the specific responsibilities for the Agency are responsive to the needs of the National Security Council and the policy aspects of Government as opposed to intelligence activities.

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5. From the above statements, I believe it is clear that we differ with your paper, except in connection with such matters as your remarks on [] and Contact. In fact, to make a complete statement on this point I think I should say that at least for the first ten paragraphs, I disagree with your analysis, your arguments, and your conclusions almost completely. I believe, therefore, that unless this is submitted to the Director for approval the proposed text should limit itself to discussion of the services of common concern on which we are in agreement, such as [] and Contact. I further recommend that there be no discussion of NSCID #5. Paragraph 22 goes to the fundamental differences also, and it summarizes your earlier arguments. Further, I question whether your statement in paragraph 23 on current intelligence is completely accurate. Paragraph 27 contains all the elements of disagreement stated above.

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LAWRENCE R. HOUSTON
General Counsel

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